



Southern Regional Office (SRO)
400 W. Congress, Suite 433, Tucson, AZ 85701

**DRAFT Minutes of the
Shannon Road/El Camino del Cerro Water Quality Assurance Revolving Fund (WQARF)
Community Advisory Board (CAB) Meeting – 22nd Meeting**

October 5, 2005, 6:00 p.m. - 7:30 p.m.
Nanini Library, 7300 N. Shannon Road, Tucson, Arizona

W-10190.13.6.2

CAB Members Present: Randy Abbey, Susan Bjerke, Gary Burchard, Marty Drozdoff, Terri Hutts, Bob Ornelas, Al Pesqueira, Gary Pitman

CAB Members Absent: Fran LaSala, Ellie Towne

ADEQ Staff Present: Sherri Zendri, Project Manager; Melissa Hayes, Community Involvement Coordinator

Members of the Public Present: Marc Herman, Jeff Drumm, Wally Wilson, Glenna Rader, Brian Andersen

The meeting began at 6:00 p.m.

1. Call to Order/Introductions

Al Pesqueira, CAB co-chair, welcomed members and conducted introductions. The CAB took a few moments to recognize CAB member, Jim Eigel, who passed away in July.

2. Approval of Minutes from 6/08/05

Terri Hutts motioned to approve the minutes; Suzy Bjerke seconded. All CAB members were in favor; none were opposed.

3. Discussion and Vote on Application to Join CAB: Marc Herman

CAB members asked Marc Herman questions about his role on the CAB and his duties at the Pima County Department of Environmental Quality (PDEQ). Marc Herman said that he would represent PDEQ on the CAB. There was a discussion about how PDEQ is both a regulatory and regulated agency through its different programs, but these roles are kept separate within the agency and its projects. Marc Herman gave the example of PDEQ being a regulated agency through their role in the cleanup of the El Camino del Cerro Landfill.

Some CAB members felt that it could be a conflict of interest to have a regulatory agency also be responsible for landfill projects. Sherri Zendri said that she learned that the PDEQ management is aware of the potential for a conflict of interest. She said that there currently is no conflict of interest because there is no soil vapor extraction (SVE) system at the El Camino del Cerro Landfill. She said that PDEQ management said that if one is needed, they would either construct a system where a permit is not required, or would turn it over to the state for permitting to avoid any conflict of interest. She also clarified that there is a personnel separation as far as who reports to whom in PDEQ, keeping the regulatory and regulated parts of the agency separate.

CAB members expressed additional concerns over PDEQ's role at the El Camino del Cerro Landfill, and Marc Herman's role on the CAB. Marc Herman said that he would not participate in anything that might cause a conflict of interest. Gary Burchard asked if this situation had arisen on other CABs. Sherri Zendri said that the statute allows for potentially responsible parties to be on the CABs, but it is up to the CAB members who they choose. She also gave the statutory definition for a conflict of interest; if a person does not directly profit by a project, there is not technically a conflict of interest.

Terri Hutts motioned to accept Marc Herman's application; Marty Drozdoff seconded the motion. All CAB members were in favor; Randy Abbey abstained. Melissa Hayes invited Marc Herman to join the CAB at the table.

4. Site Investigation Update/Q&A – Sherri Zendri, ADEQ Project Manager

Sherri Zendri showed the new site map. She then recognized that the CAB has been meeting for five years this month; the first meeting was on October 11, 2000. She announced that she brought a cake, decorated with the Shannon Road/El Camino del Cerro plume, to mark the anniversary. She then read statistics about the CAB, the WQARF site, and accomplishments over the last five years.

She then reviewed the results of the last sampling of the South Shannon well, which is currently out of production while an upgrade to the treatment system is taking place. She said that some TCE and PCE contamination was still detected above regulatory levels. She reviewed the construction schedule and said that due to some delays, the schedule has been shifted to six weeks later. Construction is currently in the second phase, and the system may be running again in April 2006.

Sherri Zendri then discussed activities at the I-10 Surplus property. She said that Pima County is still working with the property owner. Most of the hazardous waste has been removed and properly disposed of. She said that the owner received an extension until December to finish removing the solid waste.

She said that she learned from the Arizona Department of Water Resources (ADWR) that a property owner wanted to install a domestic well within the Shannon Road/El Camino del Cerro WQARF Site. She said that she called the property owner to let him know about the contamination in the area, and he indicated that it would be not be used for drinking. Because of the location of the well, ADWR sent additional requirements to the property owner for completion of the well. The well owner had 60 days to respond to ADWR; Sherri Zendri had not heard back from ADWR about the status. She said that it is possible that the installation of the well may have no longer been cost effective for the property owner once the additional requirements were imposed.

She then reviewed the budget for this fiscal year, FY2006. She said that the Shannon Road/El Camino del Cerro WQARF Site has the biggest site budget for the WQARF sites this year, comprising 13% of the total WQARF budget. She said that much of it is going to the South Shannon well for the upgrade to the treatment system, and about half goes to the rest of the site. She said that the funding is expected to be used for: well installations in January; soil vapor extraction system sampling and system design on the E.C. Winter property later in the year; completion of the upgrade to the treatment system at the South Shannon well, community involvement activities, and possibly work at Western Trailer Park and the former Wrecksperts properties, depending upon access.

Sherri Zendri then gave an update on the attempts to gain access to the former Wrecksperts property. She said that she took photos of the property, and saw a lot of debris on site, but no leaking drums. She talked to PDEQ about potential stormwater issues on the property. PDEQ called the owner and took photos, but did not go on the property because it did not appear to fall under stormwater regulations. PDEQ did contact ADEQ, and Sherri Zendri said that ADEQ may do a stormwater inspection of the property. ADEQ also does not believe that a stormwater permit is not necessary, but will confirm this. She said that it is also not clear who currently owns the former Wrecksperts property, and work is being done to clarify property ownership. Sherri Zendri said that the ADEQ central office in Phoenix has a new group that focuses on access issues, and one of their first projects will be to look at the access issues with the former Wrecksperts property. She said that ADEQ is making it a priority to get access to the property.

5. Call to the Public

No one from the public had any comments.

6. CAB Outreach Discussion/Membership Discussion

Melissa Hayes said that Ellie Towne indicated that she may resign from the CAB because of multiple commitments. Melissa Hayes said that she prepared a certificate of appreciation for Ellie Towne's service on the board. CAB members asked if they could use the statistics that Sherri Zendri prepared in their own outreach. Melissa Hayes said that she would send the information to the CAB.

7. Other Administrative Business

Melissa Hayes reviewed documents she provided to the CAB, including a 2006 calendar sheet and an updated map of the Tucson-area WQARF Sites. She thanked Metro Water for the article in their August 2005 newsletter that discussed the treatment system on the South Shannon well and ADEQ's assistance with the project. She had also sent the CAB official guidance prepared by the Arizona Attorney General's Office about emails and Open Meeting Law, which the CAB was already abiding by. The guidance indicated that any email communication with a quorum of the board can be considered a meeting, and would be a violation of Open Meeting Law. Also, decisions should be reserved for the CAB meetings. She also distributed an ADEQ press release with statistics about the WQARF program over the last fiscal year. She said that ADEQ is updating the fact sheet for the Shannon Road/El Camino del Cerro WQARF Site.

Marty Drozdoff circulated two articles about water issues that he thought the CAB would be interested in reading. He asked if the contamination will go deeper as the groundwater is being depleted. Sherri Zendri explained that it can, but other factors in groundwater can affect it as well. CAB members

requested a presentation at the next CAB meeting on drought and how it affects the contamination at this WQARF site.

8. Next Meeting Date and Time/Agenda Discussion

Melissa Hayes said that the Nanini Library now closes at 8:00 p.m. on Wednesdays, so the CAB meeting hours would have to be changed. The CAB chose to continue meeting at 6:00 p.m. and end at 7:30 p.m., unless more time is needed for the presentations and the start time would be 5:30 p.m. The next CAB meeting will be held on Wednesday, January 11, 2006, at the Nanini Library, large meeting room, 7300 N. Shannon Rd., Tucson, from 6:00 p.m. to 7:30 p.m. Call Melissa Hayes, ADEQ Community Involvement Coordinator, for meeting details and proposed agenda.

The CAB discussed the agenda for the next meeting. They requested an agenda item on how drought and subsidence affect this WQARF site. They also asked to hear about the progress on the South Shannon well and the status of access to Wrecksperts. Melissa mentioned that Fran LaSala said that he would also be resigning and Jeffrey Drumm from the City of Tucson might be submitting an application. There will be a vote on any resignations and applications that are submitted.

9. Adjournment

The meeting was adjourned at 7:05 p.m. Cake was shared by the CAB members after adjournment.

This meeting was recorded on cassette tapes as a record of the proceedings. To listen to the tape, or for additional documents mentioned in these minutes, contact ADEQ's Southern Regional Office, Community Involvement Office, 520/628-6712.

Minutes prepared by: Melissa Hayes 12/20/05
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